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MITCHELL M. WILLOUGHBY JOHN M.S. HOEFER ELIZABETH ZECK\* RANDOLPH R. LOWELL NOAH M. HICKS II\*\* BENJAMIN P. MUSTIAN M. MCMULLEN TAYLOR

July 25, 2007

AREA CODE 803
TELEPHONE 252-3300
TELECOPIER 256-8062

TRACEY C. GREEN

SPECIAL COUNSEL



#### **VIA HAND-DELIVERY**

The Honorable Charles L.A. Terreni Chief Clerk/Administrator **Public Service Commission of South Carolina** 101 Executive Center Drive Columbia, South Carolina 29210

RE: Application of Southland Utilities, Inc. for adjustment of rates and charges for the provision of water service; Docket No. 2007-244-W

Dear Mr. Terreni:

Enclosed for filing are the original and five (5) copies of the Affidavit of Publication and the Affidavit of Mailing, in the above-referenced matter. By copy of this letter, I am serving a copy of these documents upon all parties of record and enclose a Certificate of Service to that effect.

I would appreciate your acknowledging receipt of these documents by date-stamping the extra copies that are enclosed and returning them to me via our courier.

If you have any questions or if you need any additional information, please do not hesitate to contact us.

Sincerely,

WILLOUGHBY & HOEFER, P.A.

Benjamin P. Mustian

BPM/twb Enclosures

cc:

Nanette S. Edwards, Esquire Shealy B. Reibold, Esquire

# THE STATE-RECORD CO., INC. Columbia, South Carolina publisher of



# STATE OF SOUTH CAROLINA COUNTY OF RICHLAND

Personally appeared before me, Peggy Lawrence, Advertising Sales Support Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing and Hearing - Docket 2007-244-W - Southland Utilities Inc.

was inserted in THE STATE, a daily newspaper of general circulation for the State of South Carolina published in the City of Columbia, State and County aforesaid, in the issues of

July 10, 2007

Peggy Lawrence

Subscribed and sworn to before me

on this day

July 17, 2007

**Notary Public** 

My commission expires

March 10, 2013

"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."

### PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA DOCKETING DEPARTMENT

#### NOTICE OF FILING AND HEARING

DOCKET NO. 2007-244-W

## SOUTHLAND UTILITIES, INC. – APPLICATION FOR ADJUSTMENT OF RATES AND CHARGES FOR THE PROVISION OF WATER SERVICE

Southland Utilities, Inc. (Southland or the Company) has filed an Application with the Public Service Commission of South Carolina (the Commission) for an adjustment of the Company's rates and charges and modification of certain terms and conditions for the provision of water service. Southland is a public utility, as defined by S.C. Code Ann. § 58-5-10(3) (Supp. 2006), providing water service to the public for compensation in certain areas of South Carolina pursuant to rates approved by the Commission in Docket No. 90-551-W.

Pursuant to S.C. Code Ann. § 58-5-240 (Supp. 2006) and 26 S.C. Code Ann. Regs. 103-712.4.A (1976, as amended), the Company requests that the Commission approve an increase in its monthly water service rates Also, pursuant to 26 S.C. Code Ann. Regs. R. 103-703, Southland proposes a modification to the terms and conditions under which a tenant will be billed for water services to comport with current S.C. Code Ann. § 27-33-50 (Supp. 2006). Additionally, the Company proposes to add language requiring its customers to conduct cross connection testing and to add a charge for same if such inspections are undertaken by the Company to meet the requirements of 24A S.C. Code Ann. Regs. 61-58.7.F.8 (Supp. 2006). The Company proposes to delete certain provisions pertaining to payments by persons making contributions in aid of construction and to modify provisions dealing with single family equivalents to incorporate the pertinent regulation of the South Carolina Department of Health and Environmental Control ("DHEC") in lieu of the current table or ratings.

In support of its request for an adjustment in the Company's water rates, terms and conditions. Southland asserts, among other things, that the proposed water rate increases are necessary in order that it may provide reasonable and adequate service to its customers, comply with standards and regulations set by DHEC and other governmental agencies which regulate the environmental aspects of the Company's business, and earn a reasonable return on its investment and attract capital for future improvements. The Company also asserts that the proposed water rate increases are necessary to preserve its financial integrity and to permit continued investment in and maintenance of its facilities so as to provide reliable and high quality services.

### THE PROPOSED CHANGES IN THE RATES AND CHARGES ARE SET FORTH BELOW

(The complete rate schedule is available from the Company at the address below and on the Commission's website at www.psc.sc.gov

	WATER	J
Monthly Charges Residential (per single family house, condominium, mobile home, apartment unit)	Current	Proposed
Basic Facilities Charge Commodity Charge	\$7.00 per unit \$2.60 per 1,000 gallons	\$21.79 per unit \$8.09 per 1,000 gallons or 134 cft
Commercial		
Basic Facilities Charge	•	
Per single family equivalent	\$7.00	\$21.79
Commodity Charge:	\$2.60 per 1,000 gallons	\$8.09 per 1,000

A copy of the Company's Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, P.O. Drawer 11649, Columbia, South Carolina 29211. Additionally, Southland's Application is available on the Commission's website at <a href="https://www.psc.sc.gov">www.psc.sc.gov</a>.

In order for testimony and evidence to be received from all interested parties, a public hearing will be held in the Commission's Hearing Room, Synergy Business Park, 101 Executive Center Dr., Columbia, S.C. on Thursday, October 18, 2007, at 10:30 a.m.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure, on or before August 3, 2007, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2007-244-W.

Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Docketing Department at the address below, the Office of Regulatory Staff, at Post Office Box 11263, Columbia, South Carolina 29211 and John M.S. Hoefer, Esquire, Willoughby & Hoefer, P.A., Post Office Box 8416, Columbia, South Carolina 29202-8416 on or before August 3, 2007, and indicate the amount of time required for the presentation. Please refer to Docket No. 2007-244-W.

Any person who wishes to request a hearing in his or her county of residence should notify before September 7. 2007, in writing, the Docketing Department at the address below, the Office of Regulatory Staff, at Post Office Box 11263, Columbia, South Carolina 29211 and John M. S. Hoefer, Esquire, Willoughby & Hoefer, P.A., Post Office Box 8416, Columbia, South Carolina 29202-8416. Please refer to Docket No. 2007-244-W.

Any person, who wishes to be notified of any change in the hearing date, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before August 3, 2007. Please refer to Docket No. 2007-244-W.

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission in Columbia at 803-896-5100.

Public Service Commission of South Carolina Attn: Docketing Department Post Office Drawer 11649 Columbia, SC 29211 The **T**State

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#### **BEFORE**

#### THE PUBLIC SERVICE COMMISSION OF

#### **SOUTH CAROLINA**

#### **DOCKET NO. 2007-244-W**

IN RE:	
Application of Southland Utilities, Inc.  for adjustment of rates and charges for the provision of water service.	AFFIDAVIT OF MAILING  ) )
Personally appeared before me, Ste-	ven M. Lubertozzi, who after being duly sworn,
deposes and states as follows: I am the above	e-referenced Applicant's Chief Financial Officer. I
caused to be mailed on the 11th day of July,	2007, via First Class Mail, to all affected customers
of the Applicant at the customer addresses ma	aintained in the company's billing records, one copy
of the attached Notice of Filing and Hearing i	n the above-captioned matter.
	Steven M. Lubertozzi
SWORN TO AND SUBSCRIBED BEFORE This _llth day ofJuly, 2007	ME
Toyce Guidice  Notary Public for Illinois  My Commission Expires: 1/24/09	OFFICIAL SEAL JOYCE GUIDICE NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 1-24-2009

#### PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

#### DOCKETING DEPARTMENT

#### NOTICE OF FILING AND HEARING

#### **DOCKET NO. 2007-244-W**

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THE PROPOSED <u>CHANGES</u> IN THE RATES AND CHARGES ARE SET FORTH BELOW (The complete rate schedule is available from the Company at the address below and on the Commission's website at www.psc.sc.gov

#### WATER

Monthly Charges Residential (per single family house, condominium, mobile home, apartment unit)	Current	Proposed
Basic Facilities Charge Commodity Charge	\$7.00 per unit \$2.60 per 1,000 gallons	\$21.79 per unit \$8.09 per 1,000 gallons or 134 cft
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#### DOCKET NO. 2007-244-W NOTICE OF FILING AND HEARING PAGE 3

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Public Service Commission of South Carolina Attn: Docketing Department Post Office Drawer 11649 Columbia, SC 29211

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#### **BEFORE**

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#### THE PUBLIC SERVICE COMMISSION OF

#### **SOUTH CAROLINA**

**DOCKET NO. 2007-244-W** 

IN RE:	)	
Application of Southland Utilities, Inc. for adjustment of rates and charges for the provision of water service.	)	CERTIFICATE OF SERVICE
	)	

This is to certify that I have caused to be served this day one (1) copy of the **Affidavit of Publication and the Affidavit of Mailing** by placing same in the care and custody of the United

States Postal Service with first class postage affixed thereto and addressed as follows:

Nanette S. Edwards, Esquire
Deputy General Counsel

South Carolina Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211

Shealy B. Reibold, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211

Tracy(W. Barnes

Columbia, South Carolina This 25<sup>th</sup> day of July, 2007.